

Title deeds

Your responsibility for shared repairs will be detailed in your title deeds. Title deeds show who owns the property and what it consists of, including your boundaries and obligations to other owners. The title deeds often come with a deed of conditions. This document details your responsibility for shared repairs and how decisions are made.

Where can I get my title deeds?

If you don't already have them, your property manager, solicitor or building society may be able to send you a copy of your title deeds and deed of conditions.

You can also get copies from Registers of Scotland. There is a charge for this service.

What if there are no deeds or they don't contain the Information you expect?

If there is nothing in your title deeds which refers to shared repairs then the Tenements (Scotland) Act 2004 might apply. The Tenements Act makes sure shared parts of the building are kept in good repair. It can fill any gaps and replace unworkable clauses in your title deeds. However, the deeds always take priority. Your solicitor should be able to advise you of when the Tenements Act will apply and what effect it will have. You can also contact the Shared Repairs Service for our leaflet Shared repairs and your title deeds or go to www.edinburgh.gov.uk/sharedrepairs

Useful contacts

Edinburgh Shared Repairs Service
0131 529 6778
www.edinburgh.gov.uk/sharedrepairs

Registers of Scotland
0800 169 9391
www.ros.gov.uk

Neighbourhood Offices www.edinburgh.gov.uk

North East Locality Office
101 Niddrie Mains Road
Edinburgh EH16 4DS
Email: northeast.locality@edinburgh.gov.uk
Tel: 0131 529 3111

North West Locality Office
8 West Pilton Gardens
Edinburgh EH4 4DP
Email: northwest.locality@edinburgh.gov.uk
0131 529 5050

South East Locality Office
40 Captains Road
Edinburgh EH17 8HQ
Email: southeast.locality@edinburgh.gov.uk
0131 529 5151

South West Locality Office
10 Westside Plaza
Edinburgh EH14 2ST
Email: southwest.locality@edinburgh.gov.uk
0131 527 3800



HAPPY TO TRANSLATE

You can get this document on tape, in Braille, large print and various computer formats if you ask us. Please contact ITS on 0131 242 8181 and quote reference number 13-0744D. ITS can also give information on community language translations. You can get more copies of this document by calling 0131 200 2300.

EDINBURGH SHARED REPAIRS SERVICE

Working together Organising shared repairs



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EDINBURGH SHARED REPAIRS SERVICE

Working together - organising shared repairs

Owners of properties in tenement type buildings are jointly responsible for the upkeep of areas they share such as the roof, stairs and drainage system. When these areas require maintenance or repairs, owners need to get together to agree and arrange the work. This can seem complicated, particularly when the repair is major and there are a large number of owners involved. Our Shared Repairs Service is here to help you and your neighbours find the best way of working together to complete these repairs.

Getting started with your shared repairs

You need to take the initiative and contact your neighbours. You could also work with the person in your building who usually organises maintenance such as grass cutting. Leave a note so your neighbours know you intend to call round. You could also organise a stair meeting. Tell everyone in a note or put up a poster in your stairwell. You can download sample invitations and posters or contact Shared Repairs Service and we'll send some to you.

Organising your stair meeting

It's important to invite all owners in your building to your meeting. This includes owners of rented flats like the Council, housing association or private landlords.

Someone should act as chair which helps to keep everyone focused and involved. It's also helpful to take minutes and note the names of people attending.

Your building may already have formal or informal arrangements for organising maintenance and repairs. In many buildings, however, owners cannot be traced or are unwilling to pay their share of repair costs. You can download our leaflet How to trace owners from www.edinburgh.gov.uk/shared-repairs or contact the Edinburgh Shared Repairs Service for advice.

Owners Association

Reaching agreement on repairs may not be easy, particularly for large jobs with many owners involved. In such cases it helps to form an owners' association. Issues can then be discussed fully and decisions taken and recorded accurately.

Draft and adopt a constitution

In larger tenements or where there are significant repairs, you should consider adopting a constitution.

A constitution sets out:

- who you are,
- what you represent
- what your aims are
- how the association will be run.

You can download draft constitutions from www.edinburgh.gov.uk/sharedrepairs or contact the Edinburgh Shared Repairs Service.

Forming a committee

Once you have chosen and adopted your constitution, you need to form a committee. The committee is elected by members to organise and carry out the actions agreed at meetings.

The committee should include a:

- **chair**
- **secretary**
- **treasurer**

The Chair

This is the person elected to guide the association to achieve its aims. A good chair needs to:

- have patience and tact
- command respect
- keep people focused
- be impartial, even if they have an interest in the topic

The Secretary

This person's job is to keep people informed and involved.

The secretary should give adequate notice of meetings and send out agendas, minutes and other relevant papers beforehand. They should agree the agenda and the order of the meeting with the chair. The secretary should also bring papers like quotes or previous minutes to the meeting.

A good secretary needs to be:

- organised,
- objective
- able to take notes
- able to work well with the chair.

The Treasurer

The treasurer is responsible for the association's finances, including managing accounts. While the treasurer can authorise

payments, this should only be done jointly with another committee member. Decisions to spend money can only be taken by the owners' association.

The treasurer will:

- open a bank or savings account,
- pay money received into the account,
- pay bills and keep a record of what is spent
- keep a petty cash account
- prepare statements for the committee.

Keeping your association running

Once the owners' association is established you need to run it efficiently. Define your aims clearly to keep members involved. Make sure all members are kept informed, whether or not they come to meetings.

Share tasks

Tasks are best shared to avoid a few people taking on too much work while others feel excluded.

Keep in touch

Encourage everyone to participate and keep them informed of what decisions have been made. Put notes through doors, send emails or put up notices in the stairwell.

